

JPW DAC



Russell Patton Davis
1521 Quail Point Rd.
Virginia Beach, Virginia 23454
757-651-2234
July 4, 2004

Mail Stop Patent Petition § 1.103(a) NO FEE Commissioner for Patents P.O.Box 1450 Alexandria, VA 22313-1450 Re: Application 09/891,757	Director Donald T. Hajec, Director Technology Center 3600 Thomas Price Mail Stop PCT, Attn:ISA/US Commissioner for Patents P.O.Box 1450 Alexandria, VA 22313-1450
--	---

Dear Mr. Hajec:

Please grant a **§ 1.103(a) six-month** suspension of process on application **09/891,757** filed **JUNE 26, 2001** (and also **PCT/US03/02250** under a separate cover but with the same argument and parties) for cause. No fee is required for the USPTO to process this application for suspension as the fault lies with the USPTO.

Without such a suspension, I must unintentionally and unavoidably abandon **PCT/US03/02250** and **09/891,757**. These patent applications are feloniously subject to Restriction and Division by USPTO staff such that I am unable to meet their demand for additional fees. I have neither the cash nor the credit to pay the explicit and implicit demand. And so the bulk of my estate is being ripped from me by the USPTO staffs' felony.

That cause is related to pending litigation to exposed racketeering activity against my operation in Virginia that has taken the form of §18.2-481(5) felony, also known as statutory treason, were the execution of the law is resisted under the color of its authority. No agency is authorized to abscond with the due process that the sovereign people have established for creating their law – all such felonies are committed by the felon in their personal capacity.

Conceiting the authority of internal operational documents such as MEP and PCT manuals above the formal directives of the sovereign that exist in the statutes and duly authorized administrative code is a §18.2-481(5) felony. The lawful authority on “unity of invention” is the CFR.

"CFR Title 37 § 1.142 Requirement for restriction.

(a) If two or more independent and distinct inventions are claimed in a single application, the examiner in an Office action will require the applicant in the reply to that action to elect an invention to which the claims will be restricted, this official action being called a requirement for restriction (also known as a requirement for division)."

It is also the understanding and declaration of this jury that the this duly authorized regulation specifically states both "independent and distinct". When an agent of the sovereign chooses to execute that law as either independent or distinct " they commit a conceit of authority that is a VA§18.2-481(5) felony under the statutes of Virginia. When committing such a criminal conceit of authority the agent exposes their personal capacity to civil and/or criminal remedy under VA§18.2-481(5) as the criminal's honorable office may never commit treason against its sovereign. Moreover, such a crime harms a citizen's equity interest in their sovereign.

Both 09/891,757 and PCT/US03/02250 address 'Integrated Systems'. Without the total of the integration, the most economical way to raise the quantity of shellfish required by the market is not to raise the quantity of shellfish needed by the environment. The unity of the invention allows those quantities to be decoupled in the optimization process and the shellfish culture's market quantity to be submerged within the quantity produced to meet the needs of the environment. Please see the amended Claim 41 of 09/891,757.

CLAIM 41 (currently amended) I claim as my invention the process of billions-scaled shellfish hatchery production with early release so that the swarm of shellfish young is so large and so dispersed that the larvae's predators can eat till they are stuffed and there is still a high enough survival rate that the strategy is economically attractive. The integration of this system of shellfish production and the design algorithm of claim 40 made this surprising invention evident wherein the most economical way to raise the quantity of shellfish required by the market is to raise the much larger quantity of shellfish required to restore the health and productivity of our waters.

In his latest offense is in office action of 18 Feb, 2004 on PCT/US03/02250 (PCT/US03/3997 duplicate # given) wherein he was unresponsive to the ubiquitous CLAIM 0 and called for a 49 part division and an INVITATION TO PAY ADDITIONAL FEES of \$10,080.

Neither has the examiner addressed my prior arguments against his call for restriction. Now I cannot accept that restriction and division by responding to his complaint against Claim 9 because if he should grant Claim 9 and I have not filed and paid for the divisions I shall have lost the right to do so.

It appears that handcuffs are required to get the attention of USPTO staff. No other recourse is within sight. The wrong against me, Virginia and the United States justifies imprisonment.

Please employ examiners who will not reconstruct the facts of the law, duly authorized regulation and patent application with felonious creativity.

Sincerely,

Russell P Davis
757-651-2234

A handwritten signature in cursive script, appearing to read "Russell P Davis", written in black ink.



JUL 12 2004

Russell Patton Davis
1521 Quail Point Rd.
Virginia Beach, Virginia 23454
757-651-2234
July 4, 2004

Mail Stop Patent Petition § 1.103(a) NO FEE Commissioner for Patents P.O.Box 1450 Alexandria, VA 22313-1450 Re: Application PCT/US03/02250	Director Donald T. Hajec, Director Technology Center 3600 Thomas Price Mail Stop PCT, Attn:ISA/US Commissioner for Patents P.O.Box 1450 Alexandria, VA 22313-1450
--	---

Dear Mr. Hajec:

Please grant a § 1.103(a) **six-month** suspension of process on application **PCT/US03/02250** (and also **09/891,757** under a separate cover but with the same argument and parties) for cause. No fee is required for the USPTO to process this application for suspension as the fault lies with the USPTO.

Without such a suspension, I must unintentionally and unavoidably abandon **PCT/US03/02250** and **09/891,757**. These patent applications are feloniously subject to Restriction and Division by USPTO staff such that I am unable to meet their demand for additional fees. I have neither the cash nor the credit to pay the explicit and implicit demand. And so the bulk of my estate is being ripped from me by the USPTO staffs' felony.

That cause is related to pending litigation to exposed racketeering activity against my operation in Virginia that has taken the form of §18.2-481(5) felony, also known as statutory treason, were the execution of the law is resisted under the color of its authority. No agency is authorized to abscond with the due process that the sovereign people have established for creating their law – all such felonies are committed by the felon in their personal capacity.

Conceiting the authority of internal operational documents such as MEP and PCT manuals above the formal directives of the sovereign that exist in the statutes and duly authorized administrative code is a §18.2-481(5) felony. The lawful authority on “unity of invention” is the CFR.

“CFR Title 37 § 1.142 Requirement for restriction.

(a) If two or more independent and distinct inventions are claimed in a single application, the examiner in an Office action will require the applicant in the reply to that action to elect an invention to which the claims will be restricted, this official action being called a requirement for restriction (also known as a requirement for division).”

It is also the understanding and declaration of this jury that the this duly authorized regulation specifically states both "independent and distinct". When an agent of the sovereign chooses to execute that law as either independent or distinct " they commit a conceit of authority that is a VA§18.2-481(5) felony under the statutes of Virginia. When committing such a criminal conceit of authority the agent exposes their personal capacity to civil and/or criminal remedy under VA§18.2-481(5) as the criminal's honorable office may never commit treason against its sovereign. Moreover, such a crime harms a citizen's equity interest in their sovereign.

Both **09/891,757** and **PCT/US03/02250** address 'Integrated Systems'. Without the total of the integration, the most economical way to raise the quantity of shellfish required by the market is not to raise the quantity of shellfish needed by the environment. The unity of the invention allows those quantities to be decoupled in the optimization process and the shellfish culture's market quantity to be submerged within the quantity produced to meet the needs of the environment. Please see the amended Claim 41 of **09/891,757**.

CLAIM 41 (currently amended) I claim as my invention the process of billions-scaled shellfish hatchery production with early release so that the swarm of shellfish young is so large and so dispersed that the larvae's predators can eat till they are stuffed and there is still a high enough survival rate that the strategy is economically attractive. The integration of this system of shellfish production and the design algorithm of claim 40 made this surprising invention evident wherein the most economical way to raise the quantity of shellfish required by the market is to raise the much larger quantity of shellfish required to restore the health and productivity of our waters.

In his latest offense is in office action of 18 Feb, 2004 on PCT/US03/02250 (PCT/US03/3997 duplicate # given) wherein he was unresponsive to the ubiquitous CLAIM 0 and called for a 49 part division and an INVITATION TO PAY ADDITIONAL FEES of \$10,080.

Neither has the examiner addressed my prior arguments against his call for restriction. Now I cannot accept that restriction and division by responding to his complaint against Claim 9 because if he should grant Claim 9 and I have not filed and paid for the divisions I shall have lost the right to do so.

It appears that handcuffs are required to get the attention of USPTO staff. No other recourse is within sight. The wrong against me, Virginia and the United States justifies imprisonment.

Please employ examiners who will not reconstruct the facts of the law, duly authorized regulation and patent application with felonious creativity.

Sincerely,

Russell P Davis
757-651-2234

